

REMARKS

Reconsideration of the above referenced application in view of the following remarks is requested. Existing claims 1-3, 5, 7, 9-10, 16-19, 21-28, and 30 remain in the application.

ARGUMENT

Claim Rejections – 35 U.S.C. § 103

Claim 16-19 and 21-28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strom et al (US Patent No. 6,985,862) (hereinafter Strom) in view of Roberts et al (US Patent No. 5,027,406) (hereinafter Roberts).

In the Applicants' response filed on May 25, 2006, Applicants argued that Strom does not disclose a correctness measure as specifically recited in independent claims 16 and 25. In the Final Office Action issued on July 7, 2006, the Examiner responded that the Applicants' arguments are not persuasive for two reasons: 1) "correctness measure" should be interpreted under principles of broadest reasonable interpretation, which would include a score, or probability, of how confidently an utterance is recognized; 2) Applicants are unwarrantedly attempting to read limitations into their claims from their specification. Applicants respectfully disagree.

First, the Examiner is attempting to isolate the term "correctness measure" from the context of the claim language and artificially broaden its interpretation by totally ignoring the specific definition of the term in the claim language. The language in independent claims 16 and 25 specifically defines what a correctness measure is, that is, "the correctness measure expresses if the output signal is a correct representation of

the audio input signal" (emphasis added). Even with this very specific definition, the Examiner still tries to broaden the term "correctness measure" to include "a score, or probability, of how confidently an utterance is recognized because a high score, or probability, would tend to indicate that a recognition [output] is correct, while a low score, or probability, would tend to indicate that a recognition [output] is incorrect." Such a broad interpretation is not warranted by the specification definition in the claim language even under principles of broadest reasonable interpretation because even the principles do not allow interpreting a claim term by ignoring its specific definition in the claim language immediately following the claim term. Thus, Applicants believe that the Examiner made a mistake here and the correctness measure as recited in independent claims 16 and 25 is not the same or equivalent to a score disclosed in Strom because the score in Strom does not tell whether the output from the recognition system is correct or not, while the correctness measure tells whether an output is actually correct or not.

Second, Applicants are not attempting to read limitations from the specification into claims, as asserted by the Examiner. The specification definition of the term "correctness measure," that is, "the correctness measure expresses if the output signal is a correct representation of the audio input signal" (emphasis added), is included in the language of independent claims 16 and 25, and thus, there is no need to read limitations from the specification into claims. Also the definition in the claim language was included in the original claims 16 and 25 when they were initially filed. Hence the definition is supported by the disclosure because claims as initially filed are part of

original disclosure. Therefore, there is no attempt by Applicants to read limitations from the specification into claims.

For the forgoing reasons, the Examiner's responses to Applicants' arguments are not supported by law or fact. Applicants must conclude that Strom does not disclose the correctness measure limitation as recited in independent claims 16 and 25. Because the combination of Strom and Roberts does not teach or suggest the correctness measure limitation recited in claims 16 and 25, these two claims are patentable over Strom in view of Roberts. Accordingly, all of the claims that depend therefrom (i.e., claims 17-19, 21-24; and 26-28, 30; respectively) are also patentable over Strom in view of Roberts. Applicants respectfully requests that the Examiner reconsider Applicants' arguments presented in the response filed on May 25, 2006 in light of this after-final response and withdraw the 35 U.S.C. § 103 rejections over claims 16-19, 21-28, and 30.

Allowable Subject Matter

Claims 1-3, 5, 7, and 9 to 10 are allowed. Applicant gladly accepts the allowance of these claims.

CONCLUSION

In view of the foregoing, claims 1-3, 5, 7, 9-10, 16-19, 21-28, and 30 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-1700. Early issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

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